## TRIAL OF TRUTH.

Forty-ninth Day of the Great Scandal Case.

RAILROADING THE WITNESSES

More Damaging Testimony for the Plaintiff.

WHAT AN INTERVIEWER KNEW.

Mrs. Woodhull and Tilton More Than Familiar.

## THE CABMAN'S STORY.

Bessie Turner was early in court yesterday, wearing a plain black hat and no vell. She sat pinching her lips and doubling over her immobile chin, and the luxuriance of her rosewoody-reddish hair was in decided contrast to her thin neck. There were several females in court, not generally of prepossessing appearance, and the average spectator at once said:-

"WITNESSES !" Nice, dainty people are more often spectators than actors in this trial. It exudes, so to speak, a boarding house whiff. The worst air, the most soupy clouds, the seggiest mud even of this winter draw near the court house. All the natural scavengers of evaporation and condensation parade for employment before the court. There is nothing of the look, or light or purity of the Christian home around this vost convention of the odors of attics and alleys. Nevertheless it plays its part, like the sewage of cities, and instructs posterity upon the imperiectness even of a period of victory and freedom. The natural man, detached from his institutions and fame, is here dissected and produced.

The evidence of several witnesses was taken early in the day. But one or two of them were cross-examined by the detence, although Judge Fullerton was present to lead the questioning. he shook hands as ne entered court with Shearman and Porter, and several of the jury bowed to him affably. He looked a little out of sorts at first, as if just risen from a sick bed, but in a short time recovered his natural color and method, and put in a hard day's work. He did not, however, produce any effect upon the chief witness of the day a newspaper interviewer by the name of Thomas

This man was employed to give and prolong a newspaper sensation in the household of the Woodbull tamily, and while there met Theodore Tilton as an intimate and favorite visitor.

He swore that after Mr. Beecher refused to come to the Steinway Hall meeting Mrs. Woodhull was indignant, and endeavored to use the witness to expose Mr. Beecher's connection with the Tilton story in the press, and that she finally offered to employ him to do it; Tilton offered him a situation also on the Golden Age contemporaneously with a position he was to take on Woodhul! and Claffin's Weekly; Tilton was present when Mrs. Woodbuil asked Cooke to expose Beecher, "Theodore will give you all the letters and doc-

uments. He has shown them all to me."

As this occurred before Mrs. Woodnull published the scandal in her own paper it appeared to break down utterly Mr. Tilton's theory that he had sought Mrs. Woodhall's acquaintance in order to procure her silence, and it cast a very sin ister complexion upon the plaintiff's cause.

He manifestly left it, and the cross-examination did nothing further to impeach the witness than to show that Mrs. Woodhuli visited nim privately in Detroit about three weeks ago.

Mr. Cooke said at the noon recess that accord-

ing to his understanding Mrs. Woodhull was incensed at both the plaintiff and defendant, but most with Tilton now, because he had repulsed her affections and quit her society.

The cabman who drove Mrs. Woodhull to Coney Island with Tilton also strengthened the case against Tilton of extreme intimacy and familiarity with Mrs. Woodbull.

Assistant Pastor Halliday was put on the stand late in the day and testified that he made 2,500 pas- inquired Beach, sternly. "A table of dates," said toral calls a year and knew very little of Mrs. Tilton Mrs. Moulton he related to have exonerated Mr. Beecher, solemnly, in his presence. It was, on the whole, a black eye for Titton all

Oliver Johnson, Samuel Wilkeson, Jackson S. Schultz and the reporter Cooke have made a very strong defence for Mr. Beecuer. This is admitted

the middle of the day.

The great scandal is now more mysterious than

Rennen W. Rones, the first witness vesterday. took the chair at a late hour of the morning. He is a brother of a prominent trust company president in Brooklyn, and is himself a member o Plymouth church. A round-headed, red-faced, gray man, with tangled gray eyebrows and a stentorian voice, he gave his testimony with a loud, quarter-deck voice, and was dismissed in the midst of his resounding echoes.

the midst of his resounding echoes.

THE EVIDENCE.

He testified:—I carry on business at No. 73 Pearl street; I am acquainted with Francs D. Moultod; I had an interview with him in the autumn of 1874, crossing the ferry; I met him and I said to him, "Moulton, I want to know if there is any truth in that pistol story published by the Woodhui people," and he said.

"IT IS AN INFERNAL LIE;"
I then said, "Mr. Moulton, you know a great deal more about this matter than I do, and I want to ask you one question—Is there any truth in these charges against Henry Ward Beecher?" Moulton replied, "Not a word of truth; they are a pack of hes from beginning to end."

ANNER B. DAVIS

ABNEE H. DAVIS took the stand in a juffy, there being no cross-examinition of Mr. Ropes. Ropes walked out of court and Davis proceeded in a hoarse voice to tell his tale. He was a little like the family portraits of General Israel Putnam, wore a blue overcoat buttoned up to the neck, a buildish scopee, a cleanly snaven face, with a gray eye, and some little gray hair on the back of his head. He also was an elocutionist and declaimed forcibly. It was a plain story of Moulton's indignant and sarcastic denial of Beecher's guilt told by a plain

parishioner of the Plymonth pastor. partshioner of the Plymonth pastor.

Ar. Davis testified that he was in the general commission business in New York, have been in business altogether for about thirty jears; I remember the publication of the Woodhull Scandal; I was at that time acquainted with Francis D. Moulton and had various conversations with him; I talked with him about the scandal; I said to him. "For God's sake what does this mean; Is there a word of truth in this Woodhull story;" he said, "There is not a word.

JOHN W. MASON was witness number three, the other two having left the stand before well seated in the chair. The Judge looked rejoiced at the swift dismissal of witnesses, and his strong Scottish features might

bave fitted the complet:

Speed Mailse, speed! The dun deer's nide
on Neeter not be never ted!

Mr. Mason was another Plymouther, and quite meek and doclie compared to the preceding stentors. He sat with great gravity in the chair, grasped the arms, and showed clean shaving and a holicay sensibility.

They quarrelled as to whether he should say anything, and ruled him out on Fullerton's objec-tion. He couldn't be found in the index of the proceedings of the trial, and was, therefore, not relevant to the plaintiff's case. He retired with a doubt as to what he had been begun for if so

He test.fled:—I reside in Brooklyn, and have lived there over twenty years; I am a commission merchant, doing business in New York; I know

Mr. Francis D. Moulton and the members of his firm; I remember the publication of the Woodhull scandal; I had a conversation with Mr. Moulton on the subject within a short time after its—
Mr. Fullerton—We object, Your Honor, to this evidence as a waste of time. Mr. Moulton has acknowledged to what they propose to prove.

After some little discussion the delence accepted the position, and the witness vacated the stand.

EDWARD A. BIDEN took the chair at half-past eleven and showed a fine paroquet nose, elegant shaving, arcaed brows and grayness of chin tuit and thin hair. All these witnesses looked like deacons. Mr. Biden, finding himself objected to, went into a cheerful decline, but the Judge knew by his appearance that he had some importance and let him through the wicket into the vast repository of scandal, s.n and

Mr. Beecher was sitting back by his wife, more modest and composed in manner than in the early stages of the trial. His face is in some respects hardened up, less professional and more worldly and realistic than when he was new and unversed in the court room. Everybody with any measuring memory or eye sees this. Tilton and Beecher are both altered men.

are both altered men.

Mr. Biden testified:—I am engaged in the storage of grain in New York; I remember the event of the Woodhuli scandal; I have know Mr. Moulton about ten years; I met him after the publication of the Woodhuli scandal; I have know Mr. Moulton about ten years; I met him after the publication a tew days.

Q.—What did he say to you then?

Mr. Fallerton objected.

The question was put again and witness answered—I spoke to Mr. Moulton first on the subject of the Scandal; I asked him whether in this Woodhull & Clafin story shere was any truth in the story as far as Mr. Beecher was concerned? he said, "Mr. Biden. I am as good a friend of Mr. Beecher as you are; that story has no truth in it;" on a subsequent occasion he answered in the same way, but more emphatically than ever; his exact words I cannot recollect, but that is about the substance.

Mr. Biden stepped down with a good feeling behind him, as if something moral and responsible had walked off and left a moral dearth in the rear of him. But presently the moral emotions of the audience were restored when it saw the venerable Mr. Barber climb the merry-go-round. He said at once he had known Moulton since he was a

We remembered Mr. Barber as a bishop-looking man who had been sitting in court a good deal on the Plymouth benches. Clear open eyes, an expression of pain and resignation with strength in it, and a good deal of lawyer's talk thrown in, completed the picture. Mr. Barber shook hands with the juror Jeffreys, who has been sick these several days.

Rev. Edward Beecher was in court, looking amiable and anteditivian. Mrs. Beecher wore a queer ruffled cap, with tassels, which gave her the appearance of one of the mothers of a western race. a pioneer of a former generation. Her face yesterday was decidedly ghastly. She dozed very early in the day and propped her head with a fan, and people said "That woman will die in the court

william B. Barber testified:—I have resided in Brooklyn since 1862; I deal in grain in New York: I remember the Woodhull & Claffin scandal; I have known Francis D. Moulton since he was A STRIFING;
I talked with him on the subject of the scandal in the Produce Exchange: I asked him whether it was true in respect to Mr. Beecher; he said that it was faise, or words to that effect.
Mr. Shearman—What were the words used by Mr. Moulton;

Mr. Moulton?

Mr. Fullerton—I object to that.

The counsel had a little sparring on this point, and finally Mr. Shearman proceeded and witness stated:—Mr. Moulton said something to the effect that Beecher was a pure man; he said that Mr. Beecher was entirely innoceut, and if his life record was not a sufficient rejutation against such charges he had nothing more to say.

Mr. Beach said before the next witness was called that he could not see the materiality of this evidence, because Mr. Moulton had himself admitted the words that these witnesses were called to prove.

CHARLES H. CADWELL. A gentleman of a more convivial exterior than the preceeding four witnesses was in the chair at a quarter to cleven o'clock. A fine red complexion inclining to spot, a goatee struggling for its original tint, a complacent manner and no evidence of consequence completed Mr. Cadwell's that all this reiteration of Moniton's Industrious defence of Mr. Beecher in taverns, shippards and on wharves and terryboats was a waste of time. Frank Moulton was in court advising with Fuller-

Mr. Cadwell testified:—I remember the Wood-hull publication: I know Mr. houlton: I met him after the publication; he told me there was no truth it, that it was a damned lie. THOMAS N. COOKE.

A tall newspaper man with no chin took the chair at five minutes to twelve. He knew the Woodhulls and Incodore Tilton in the palmy days of their common regeneration of society and morals. The Woodauti party is the great "side hold" of the defence.

Mr. Cooke consuited a piece of memorandum from his pocket. "What are you looking at, sir ?"

Mrs. Woodbull, whom the witness called "The Woodnull," had introduced Tilton to Cooke. This was an interviewer's true story, all the way from Detroit. He said they met, each "feeling their

Judge Morris, generally addressed as "Sam." arose and objected to so much Woodaull as having no association with the question of damages. Cooke. however, tied up Tilton with his mamorata. Theoore had not covered his tracks with that wise discration due to a philosopher, but as Cook and he may have gone on the same errand, to interview

the priestess, they involved each other. Mr. Shearman wears the look of a lad climbed up on a high shell of the pantry and attacked a jar of preserves, whenever he gets near turbed and lov in the repast his expression is that of a wasp caught fast in sweetness.

Inis witness, Cooke, spoke low, rather mumblingly, and he somewhat fretted the plaintiff. Frank foulton, sitting at the small table between Peck ham and Pryor, with Morris, Tilton and Fullerton the religious jurymen, headed by Carpenter, the foreman, were peeping on now and Mr. Beecher wore a smile on his red face. Tilton was working hard with his gold pencil and paper, and Evarts interfered to help the story on.

Mr. Cooke testified—I am at present residing in Detroit; I have been a journalist for the last inteen years; I was on the Sun during 1870 and 1871; I became acquainted with Theodore Tilton during that year; I formed the acquaintance of Mrs. Woodhull and Mrs. Cladin a short time be-

ore.
Mr. Sucarman—How was that acquaintance

ore.

Mr. Sucarman—How was that acquaintance formed?

Mr. Beach—Objected to.

After a little discussion between the legal dignitaries, the Judge suggested questions of a more direct nature, and witness resumed:—On the evening of June 8 I was sent to the residence of Mrs. Woodhuit and Cladin to interview them about the death of their brother-in-law, Mr. Sparr; I visited them frequently during the next four months at their office in Broad street; I met Mr. Tilton at their office in Broad street; I met Mr. Tilton at their office in Broad street; I met Mr. Tilton at their office in Broad street; I met Mr. Tilton cane in and was introduced to him by Mrs. Woodhull: I was talking to Mrs. Woodhull about an interview that appeared in print when Mr. Tilton came in and was introduced; I had a conversation atterward with Mr. Tilton, and he spoke very highly of Mrs. Woodhull: he was probably

and I was feeling my way; he said Mrs. Woodhull was a very remarkable woman, a very spiritable woman and a woman that would make a stir in the world; I met Mr. Tilton on several occasions during that summer and hall at the residence and office of Mrs. Woodhull in ligroad street, and met Mr. Tilton there on several occasions.

Mr. Morris stood up nere and asked the Judge

Broad street, and met Mr. Tilton there on several occasions.

Mr. Morris stood up nere and asked the Juoge what this testimony had to do with the charge whether Mr. Beecher committed adultery or not. He insisted that it had no earthly bearing on either question in twe case. How does it concern the issue what Mr. Tilton said about Mr. Woodhall or Mrs. Woodhall sbout Mr. Tilton?

Witness continued—when I visited Mrs. Woodhall I generally spent my time in the parior; I was only once up stairs; I have heard the ladies late in the evening calling down stairs to Tilton, telling him not to go set; Tilton and I did not on all occasions leave the house together; I remember coming over to Brooklyn with him once; I left him oace in Woodhall's nouse about eleven or twelve; on one occasion there were present Colonel Blood, Stephen Pear Andrews, Mrs. Woodhall and her sister; there was a general conversation; I remember an interview with Mrs. Woodhall the day of the Steinway Hall meeting; it was at the office in Broad street; Mr. Thron came in and Mrs. Woodhall put on her dress and went away with him in a carriage; I had a talk with Mrs. Woodbuil the next day.

Q. Did she speak in that conversation about Mr. Beecher? A. Yes, sir.

Mr. Beach objected to its being related.

Mr. Evarts said the question was not material, only, as being harmless, with which to connect more important testimony.

Witness resumed:—I afterwards had an interview with Mrs. Woodhull, at which Mr. Titton was present; we talked about Mr. Beecher and alluded to a previous—

Mr. Beach—Watt, sir; stop a moment.

Mr. Beach argued that the conversation should be given as it occurred, and the Judge agreed with the counsel for the plaintiff.

Witness continued:—I cannot swear that there was any direct reference to any previous conver-

with the counsel for the plaintiff.

Witness continued:—I cannot swear that there was any direct reference to any previous conversation. Mrs. Woodhult urged me to write up the Beecher scandal; I said II is should attempt to write up such a story on mere hearsay, I would involve my paper in a flood of law suits; she said Theodore had all the documents in the case; he showed them to me, and he will show them to you; she said it was the greatest sensation of the are; would blow the roof off Plymouth church and revolutionize modern society; she said further that it would pay me well, and any paper would be glad to get it; I toid her I was not in the habit of hawking my materials around the street to find a purchaser, and declined the job; at an interview, where Mr. Titon and Mrs. Woodhull were present, with myself, they urged me, as I would not write it up for the general market, to write it up for the Woodhult & Claffin paper.

Mr. Shearman—Did you not say that the proposition that you shouls write up this story for Woodhult & Clafin's Weekly was made in the presence of Mr. Tilton?

Mr. Beach—stop, sir. I object to the question.

position that you should write up this story for woodhult & Claffin's Weekly was made in the presence of Mr. Tition?

Mr. Beach—Stop, sir. I object to the question.

Witness continued—I cannot recollect the particular conversation that occurred; I was asked and urged to write the story for Woodhulf & Claftin's Weekly; I was asked by both Mr. Tilton and Mrs. Woodhulf. I was asked on several occasions; I was asked to take a joint position on the Golden Age and Woodhulf & Claftin's Weekly; that proposition was made to me by Mr. Tilton; he proposed that I should write sensational local paragraphs; I told bim I had no objection to taking a position on the Golden Age, but I did not care to risk my reputation by a connection with Woodhulf & Claftin's Weekly.

Mr. Shearman then showed a few photographs of Woodhulf and Claffin, which were identified by the witness.

the witness.

COOKE ON CROSS-REAMINATION. The story told by the reporter Cooke was undoubtedly powerful evidence against the plaintiff, if not for the defence. It appeared to connect Woodhuli and Andrews with Tilton as the principals in the suggestion of the original Woodhull publication against Beecher and Tilton's wife. This was a new feature in the trial. Some asked why the cross-examination was stopped by Shear man so suddenly, and others guessed because it might have been that Cooke wrote the story of Beecher in Woodhull's paper, and that the desence

did not wish this to be shown. Some photographs of Woodhull and Claffin were produced, which several of the jurymen declined

Mr. Pullerton began to cross-examine Cooke, with a cool, foreboding manner, almost triendly, but with a touch of acid in it.

The witness was a man of good memory and smart address. Fullerton ran through his vagarious life, bookseller, detective, officeholder and writer on many sheets, and finally brought him to the admission that last summer, when Tilton made a statement to the public, he (Cooke) communicated with Shearman and engaged to give information to the Beecher side. The recess came in the midst of this hot cross-examination.

in the midst of this hot cross-examination.

By Mr. Pullerton—What is your present address?

Witness—live in Detroit and am a journaist and am now engaged in winding up a newspaper, the betroit Union; I left Brooklyn to go to Detroit in May last; I was connected with the Sun nearer left for Detroit; my connection with the Sun nearer left in the Person in left for Detroit; my connection with the Sun was on piecework; except for three mental increase in the sun was chiefly sensation; I am not aware that the proprietor of the Sun was prosecuted for anything I wrote; I was at liberty to sell whatever I wrote to any other paper; my first occupation when I first went to Detroit years ago was school teaching, then I sold books, alterwards I joined a Detroit paper; had no proprietary interest in it; I cannot say how long I was there; I was then an army correspondent for the New York Herald; I remained with the Herald three or four years; I went into the government employ as special agent of the Post Office Department; I was then special agent of the Treasury Department, investigating frauds; I was afterward inspector of customs; I was removed from the Custom House and commenced my work with the Sun; I have corresponded with several persons about what I know here; I wrote to Mr. Shearman an account of a statement printed by Mr. Thiton; I wrote a letter to Mr. Shearman; I came on from Detroit after the second week of the trial; my expenses to and from Detroit consumed the money; I returned to Detroit after being here about a week, being excused by the Court.

Here the Court took a recess until two o'clock.

At THE RECESS

AT THE RECESS
the witness Cooke was left to himself, and he stroiled around in the neighborhood for oysters. He is knowinto possess an intimate knowledge of the Woodhull family, to be a believer in Mr.

Beecher's innocence and to have asserted that Mr. Tilton's motive in bringing the present charges was envy. He asserts that the cause for the defence will yet consume a month or six weeks in taking testimony, that the jury will find for Beecher, and that Tilton will first be made opprobrious in the community and Moulton afterward, and Mrs. Tilton then leit unsupported, but unussailed, between the two.

Cooke is a person of sharpened senses and ordinary brain, with brownish gray eyes, wide apart, and alert and siy for interviewing. He is a good taiker, a strong partisan, of originally fine memory, as his over-roofed nose shows, the bumps protruding there; and by many years of listening, to had draughts, for fragments of conversation, hi hearing is reduced and he often replied to the lawyer with a palm benind his ear. His nose is stigntly booked his large month is covered by a thin and ragged mustache. His low voice, confidentiality and deafness suggest a natural detect-

ive agent. That his testimony made a decided impression was manifes, at noon, as Mr. Beecher received many congratulations from his membership, lawyers and strangers. He did not return in the afternoon, although Edward Beecher did. Unly one female was present in the alternoon, a newspaper correspondent. There was deep interest in the court. Moulton was also present again, list-

ening anxiousty.

At a quarter past two o'clock the witness was

ening anxiously.

At a quarrer past two o'clock the witness was cross-examined by Mr. Failerton.

Q. Have you received no more than \$100 from Mr. Snearman? A. I received \$50 since to come on here again; I did draw for \$50; I left Detroit a week ago last Wednesday and arrived here last Sunday; I did not write in the Now what is known as the McCue libel; I did not write the heading in which the Roel was contained; never heard that any part of the article was libelious; the Sun was indicted; my leaving the Sun was not at all in consequence of my writing that article.

Q. When did you first see Mrs. Woodhull? A. On the evening of June 8, 1871; I refer to a memorandum in my possession to refresh my memory; isaw Mrs. Woodhull at her house, in Tuirty-eigh h street, New York; I had not then known Theodore Thiton; I was introduced to Theodore Thiton; I was introduced to Theodore Thiton aday or two after the 250 of June, 1871; I was introduced to him at the office of Mrs. Woodhull was to ascertain some particulars of the death of her brother-in-law, Dr. Parr; I was directed by either Mr. Dana or Mr. Cummings to go to Mrs. Woodhull; I woodhull; I woodhull; I was directed by either Mr. Dana or Mr. Cummings to go to Mrs. Woodhull; I woodhull; I was mireduced to him; I was quite frequently at the office of Mrs. Woodhull; I had seen him there before I was introduced to him; I was quite frequently at the office of Mrs. Woodhull; I am quite sure I saw Mr. Thion there almost daily after the 23d of June; he used to be conversing with Woodhull and Claffin, and heid private conversations with the office of mrs. Woodhull and Claffin, and heid private conversations with the office of mrs. Woodhull and Claffin and heid private conversations with the office of mrs. Woodhull and gold there; I do not be such as a series of people coming and golng there; I do not be conversed to the conversations with

of June; he used to be conversing with Woodhull and Claffin, and heid private conversations with them in the back room; there was always a number of people coming and going there; I do not know but there may have been a dozen people there at the time.

Q. During the time Mr. Tilton was in the back room in consultation with Mrs. Woodhuli, can you say that there were a dozen people in there besides Tilton? A. I cannot say that there were a dozen people in there sendes Tilton? A. I cannot say that there were a dozen people there at any one time; I say there was a private consultation, because the door was closed and persons were in the room; I say Mr. Tilton a dozen times at Mrs. Woodhulf's house in 1871, before the Steiluwsy Hall meeting; I was once up stairs in that house; I cannot say in what room; I cannot say that it was in Colone; Blood's room; I am very sure I went up only one flight; I am sure I came down again; (laughter;) I don't remember saying on my direct examination that I was in Woodhulf's house half a dozen times; I timk I can swear that I saw Tilton there about a dozen times; I do not remember when I had the first conversation; I was out or town in September, 1871, for about, perhaps, two weeks.

Q. During those fourteen days you did not see Mr. Filton dany? A. Certainly not.

Q. You take out those fourteen days? A. Fes; about a week after the Steinway Hall meeting; the first conversation with Mr. Tilton; I was not present at that meeting; the first conversation I had with Mr. Tilton; I was not present at that meeting; the first conversation I had with Mr. Tilton; I was not present at that meeting; the first conversation with Mr. Tilton; I was not aversation I had with Mr. Tilton; I was not present at the meeting; Colonel line of the proper is the meeting of the first conversation of Mrs. Woodhul, Mrs. Woodhull and Mr. Tilton were present at the interview I have spoken of; I do not know it Miss. Claffin was present; Blood is a man of ability! I do not care to swear that he is a man of adultity! I

did not understand that he is a writer; Mrs. Woodhuli is a woman of intelligence; she has the reputation of being a writer.

Q. Has see not the reputation of being ab accompushed writer? A. I do not know.

Q. Did you ever hear her lecture? A. I can't swear, but I have an impression that I did; I said something to the effect that I could not discriminate between the interviews when myself. Tilton and Mrs. Woodhuli were present; I think I can distinguish the subjects that were discussed; I cannot undertake to give all the conversation; I think I can tell you the substance of what took place at the interviews when myself, Mr. Tikon and Mrs. Woodhuli were present; I am quite sure there was a conversation when Tilton was present about his writing up the Beecher scandal for Woodhuli & Clafin's Weekly; I am quite sure of that; it was in the fall, a year before the publication; I did not apply to the Golden Age for employment; it was Tilton who suggested to me to be employed on Woodhuli & Clafin's Weekly: I went to Woodhuli's house once with my child, ten years old; I cannot say that I met any one there on that occasion.

THE DEEP FIT.

The inquiries of Judge Fullerton appeared to produce no effect upon the witness, Cooke, until a from him that he had taken his child to call on Mrs. Woodhuil and had been waited upon by Mrs. Woodhull herself in Detroit a fortnight or more ago. Judge Fullerton's cross-examination was a disappointment to the abettors of Mr. Tilton, and he produced no more general effect upon Cooke than Mr. Beach had the day before produced upon Jackson S. Schultz.

Jackson S. Schuitz.

Q. where did you see Mrs. Woodhull last? A. A week ago last Sunday. In Detroit; she sent for me and I went to her room and remained about an Four; that was after Mr. Shearman had written to me; I received a letter from Mr. Hill, one of the counsel in this case; I have received half a dozen letters from Mr. Hill; I did not confer with Mr. Hill when I was here last, but I conferred with Mr. Shearman and General Tracy; I did not know that Mrs. Woodhull was coming here.

To Mr. Shearman—I refused three salaries on the San, as I think it more preferable to write by the piece; the San would not print any immoral articles. (Laughter.)

Q. In stating what you said took place in Mr. Tilton's presence, did you omit stating what was said in his absence?

The Judge—That may be assumed.

JOHN GALLAGHER.

JOHN GALLAGHER.

After the brief cross-examination and essy escape of the witness, Mr. Cooke, the defence called the cabman who drove Tilton to Coney Island with Mrs. Woodhull in 1871. He was a nutty headed Milesian. With a spikey beard and mustache and hollow features, and presented a generally reliable appearance. Tilton's counsel made an effort, through Mr. Beach, to shut out this evidence, but it was mitted, to Tilton's great discomposure, as was manifested by his face. He looked half flushed and talked rapidly with Judge Fullerton. It was generally understood that this witness meant to swear that Tilton and Mrs. Woodhall went in bathing nude at Coney Island beach. Half the people in court knew of this announcement and listened feverishly. The witness, however, did not at this point make any such disclosure, but afterward he snowed that he took Mrs. Woodhull and Mr. Tilton from Moulton's house at midnight to Mrs. Woodhull's in New York city. This finished the direct.

Judge Fullerton asked nothing whatever.

city. This finished the direct.

Judge Fullerton asked nothing whatever.

John Gallagher, being sworn, testified as follows:—I know Theodore Tilton; known him since I have been in business as a backman in Brookiyn; he has often employed me; I was employed by Mr. Tilton to take him to Coney Island; a lady accompanied him; it was in 1571, in the latter part of the summer of that year.

Mr. Beach would like to know what this testimony was offered for.

Mr. Tracy—To show the association of Mr. Tilton with Mrs. Woodhall.

Mr. Beach submitted that this was collateral matter; it was not pertinent to the issue.

The Judge—Under the assurance of Mr. Tracy we will take the evidence.

Witness—My memory is that Mr. Tilton came from his own house with a lady; it was in the atternoon tuey took the carriage; it was an open carriage; I do not recollect anything eise but that they got out at Green's, very near the beach; they gave me their gold watches to keep for them; I did not see them bathing; I could not see them; I did not take notice of their hair; I drove back to Mr. Tilton's house; I moticed that Mr. Tilton had some two or three sheets of paper in his hand; I think it was on the way to Coney Island I saw the papers with him; after returning to Mr. Tilton's house; I down Mr. Moulton's house; Mr. Tilton's house in Remsen street, between dark; I did not know Mr. Moulton's house; Mr. Tilton and the lady went into he house; Mr. Tilton's house; in Remsen street; ne told me to come for them at midnight, and I did; I brought a close carriage, and took them over to Pifteenth street, as I recollect, in New York: they got out and wont into a house; Mr. Tilton, I think came back with me to Brookiyn; (photograph of Mrs. Woodhuil handed to withess I think that is the lady, but the hair is cut short. The witness was not crossexamined.

Mr. Beecher's assistant pastor, was called at three o'clock. Mr. Halliday is a sport, bald, gray gentleman, with a perfectly smooth face and a bulbous nose. He had met Mr. Beecher in Providence, R. I., many years ago, but knew him intimately for twelve years past. The witness folded his arms, looked demure and precise, and conveyed an impression of genial and pulpy good conveyed an impression of genial and pulpy good. Providence, R. J., many years ago, but knew him nature. He spoke a little through his nose, testifiel with great conscientions accuracy, and was particular to say that he had a very limited knowledge of Theodore Tilton. He then plunged into a speech as to his calling and avocation, in a cierical way, and was allowed to go on ad isbitum by the

way, and was anowed to go on at a total of lawyers on both sides.

Mr. Halliday's testimony was as follows:—
side at No. 69 Hicks street, Brooklyn; I tm
have resided in Brooklyn ten years; I am
Beecher's assistant; I nave assisted him about

Beecher's assistant; I have assisted him about free years; I am a member of the Examining Committee and ex afficio one of the Board of Deacons.

Q. How long have you known Mr. Thiton? A. I think I have known him about twelve years; my acquaintance with him is very limited; it is limited to about five years; I was introduced to him at Captain Duncan's house, at a reception of the lady teachers; Mrs. Thiton was present; I was about eiven years connected with the House of Industry at the Five Points, New York; I remember the publication of the Woodbull and Chadin scandal; I saw a copy of it on the 28th of October, 1872; I saw Mh. Beecher that day before I saw or heard of the published scandal.

leard of the published scandal.

Q. Now, Mr. Hailiday, did Mr. Beecher, in that

Q. Now, Mr. Halliday, did Mr. Beecher, in that conversation—answer me simply "yes" or "no"—consult with you with reference as to what course would be proper for him to pursue with reference to the Woodhull scanda!?

Objected to by Mr. Beach.

The question was admitted by the Court, who instructed Mr. Shearman to ask the question, "Did he consult with you with respect to this publication?" The question was put, and the witness replied:—I don't know how to answer the question very well, as Mr. Beecher spoke to me, but I can't say whether he consulted with me about the publication or not.

Q. Well, did Mr. Beecher speak to you about it?

A. He did.

Q. Did Mr. Beecher have any conversation

A. He did. Q. Did Mr. Beecher have any conversation with you in respect to the proper course for him

Q. Did Mr. Beecher have any conversation with you in respect to the proper course for him to pursue?

Objected to by Mr. Pullerton and ruled out by the Court.

Mr. Shearman said that they proposed to show that Mr. Beecher had a conversation with the witness for the purpose of consulting the brethren of the church with reference to obtaining their advice as to the proper course to purse in reference to the publication of the scandal.

Objection was made by the counsel to that.

Mr. Shearman then said that evidence has been introduced by the counsel for plaintiff to show that Mr. Beecher had endeavored to control his courch in regard to what line of action they proposed to pursue in relation to this scandal. They had endeavored to show that he endeavored to conceal the facts in this case and to suppress the action of the church. Much evidence has been introduced on that subject. The defence propose to show that Mr. Beecher did not undertake at any time to control the action of the church in any respect; but that, on the courary, he aid consult them on the matter, and that it was upon the advice of members of Plymouth church that he pursue the policy of sience on the subject of the publication. He did not think that the evidence on the subject is very important in itself; but, as the plaintiff's counsel had brought it in, it was but procer to show the contrary result to that which had been imputed.

Judge Neilson said:—Of course, Mr. Shearman, you recognize the restrictions i am under—that he rules of evidence do not admit the introduction of conversation with the elechant in the absence of the defendant. The question is not ammissible.

Mr. Evarts argued that in civil suits such as the

sosence of the desendant. The question is not admissible.

Mr. Evarts argued that in civil suits such as the present it was in the power of the Court to admit the conversations. He propounded the law on the subject, and sat nown after expressing the hope that his donor would take that view of the premises. remises.
Judge Neilson-I still think we won't receive it.
Mr. Evarts-Then Your Honor will please note

our exception.

Mr. Shearman-I offer to prove that at this in-Mr. Shearman—I offer to prove that at this interview Mr. Beecher told him that this publication
was to be made, and that it was an utter falsehood
from beginning toend. The counsel then proceeded
to read from the speech delivered by Mr. Morris
in opening the case for Mr. Titton, in which Mr.
Morris had asserted that "Mr. Beecher had made
no denial," and had asked "Why did he net deny
it; because it would have led to an investigation
of his church, which would have been rain." Mr.
Shearman continuing, said we now offer to show
that Mr. Beecher made his denial to the Clerk of

Plymouth church and to his assistant, and that ne directed nim to communicate it to the officers of the church, and to show that Mr. Beecher did make the dental through the proper channels of his church and that he left discretionary to the officers thereof the question as to whether he should make it public or not.

MR. BEECHER ON THE CARDINALSHIP.

AN HONOR THAT SHOULD HAVE BEEN BESTOWED LANG AGO—IT HAS NO SIGNIFICANCE.

Mr. Shearman was interrupted by Judge Ful-

"We are not desirous to make that speech the law of the case." "I don't think it ever will be," said Mr. Shear-

men, sarcastically.

Mr. Beach objected, and asked, "What is this prosecution against Mr. Beecher "It turns out that an infamous publication was made imputing to Mr. Beecher the very charge which we allege, and the detence now propose to show that in the conversation with Mr. Halliday, the assistant pastor, Mr. Beecher denied it. Connael submitted that such a line of evidence was contrary to the rules of evidence and inadmissible.

Judge Neilson—Mr. Shearman you can take the same ruling. man, sarcastically.

Judge Nellson—Mr. Shearman you can take the same ruling.

Mr. Evarts said the Court would please note their exception.

Q. Mr. Halliday, did you call a meeting of a few members of Plymouth church at or about that time? A. I did call a meeting that very morning or in the afternoon of the day that the pastor called on me.

Q. Where was that meeting held? A. It was held in the hall of the church.

Q. Who were there? A. I can mention but a few, sir.

Q. Name them. A. There was George A. Bell.

few. sir.
Q. Name them. A. There was George A. Bell,
Abram Hill, J. B. White and Deacon Hawkins.
Q. What was the subject of discussion at the
meeting?
Objected to by Mr. Beach.
Judge Neilson said be would take the restimony
if this was a regular meeting of the church.
Witness—It was a meeting of officers of the
church, brought on through the publication of the
Woodhull scandal.

church, brought on through the publication of the Woodhull scandal.

Objected to,
Mr. Shearman said they desired to show the action of the church on the question. Q. Was it not a rule of the church that three deacons of Plymoush church or of the Examining Committee could hold a meeting?

Objected to by Mr. Morris.
Q. When was the meeting to which you refer held? A. It was on Tuesday evening.
Q. Were there as many as three members of the Board of Deacons present at that meeting?
A. There were Deacon Bell and mixelf and others who were members of and mixelf and others who were members of the Board of Deacons present; all the members of the Examining Committee are members of the Board; they were present at each meeting.

The Court inquired whether the rules of the church required that three deacons should be present to call each meeting of the church.

Mr. Shearman said that deacons were all members of the Examining Committee at that time, and they could at any time come together and hold a meeting, which was in accordance with the usage of the church for many years.

Mr. Beach asked whether these meetings were not recorded in the business transactions of the church.

Mr. Evarts rose to explain what was legal in

not recorded in the obsiness transactions of the church.

Mr. Events rose to explain what was legal in matters appertaining to the United States in records, when Mr. Beach humorously remarked that the counsel was better acquainted with the rules of the United States courts than he was with the rules of Plymouth church.

Judge Nellson said he would like to see the books of the church recording these meetings in the morning, and Mr. Shearman said he would produce the records.

In the morning, and Mr. Shearman said he would produce the records.

Q. Mr. Halliday, are you acquainted with Mrs. Francis D. Moniton, the wife of Mr. Moulton; were you not intimately acquainted with her, and state when your acquaintance terminated? A. Yes, sir, but not intimately; I saw her first in the spring of 1872 or late in the autumn of that year; I saw her at her residence.

Q. What was the object of your call? A. It was a simple pastoral call; I make 2,500 every year.

Q. At that time, during a conversation with Mrs. Moulton, was your attention called by her to a portrait of Mr. Beccher hanging on the wall?

A. Yes, sir.

Q. Did she say anything of him?

Objected to by Mr. Beach.

A. Yes, sir.
Q. Did she say anything of him?
Objected to by Mr. Beach.
Q. Did Mrs. Moulton speak to you on that occasion of Mrs. Woudhull? A. Not at that time, sir.
Q. Well, on another occasion. Did you have a subsequent interview; state when and where? A. Yes, about Wednesday, the 29th or 30th of October; it was the last Wednesday of that monthitat is my impression; I can tell how I know the time if you will permit me.
Q. How soon was this after the meeting? A. It was the next day.
Q. State what occurred between you and Mrs. Moulton at this interview.

Q. Who received you at the door? A. Mrs. Moulton received me.
Q. What did you say to her?

G. What did you say to her?

Objected to.
Q. Did Mrs. Moulton say to you that she didn't see what Mrs. Woodhull had to do with this business? A. I said to her, "what does this Woodhull story mean; how is it, Mrs. Moulton, that your name is connected with it?" she answered, "I don't know what right Mrs. Woodhull had to use my name; I had nothing to do with it;" then there was some more conversation; Mrs. Moulton said, in substance, "Mr. Halliday, MR. BEECHER IS MY PASTOR and has been from childhood, and they can say nothing that can lessen my affection or destroy my confidence in him;" I regarded her as being in earnest.
Q. During that year 1872 and at a later period

Q. During that year 1872 and at a later period Q. During that year 1872 and at a later period do you remember seeing Mrs. Moulton in attendance on Plymouth church? A. Yes, sir; several times; I may have seen her there as many as six times since the period of my cail; I never saw her at church unless she cailed around after services to the foot of the pulpit stairs, and waited till Mr. Beecher came and shook hands with her,
Q. Did you shortly after this meeting attend a regular monthly meeting of the Board of Deacons?
A. Idia; I can't remember how many were present.

TO BE ADOPTED BY THE CHURCH

Witness-The regular meeting was gone through with and will appear on the record.

Mr. Beach interrupted the witness, objecting to the defendant giving in evidence any proof Plymouth church or of its officers an bers, except such as were caused attention to the plaintiff. They might upon the West charges, but the action of Plymouth church upon the general subject of the scandal is inadmissible. It would not be competent evidence, as his Honor would admit, to give declarations of Mr. Beecher when Mr. Tilton was not present. They had only to do with the materiality that the church had to do with the issue of this case. On what principle of law cound the Court allow the defendant to give the acts of the officers and of The Underlings of his Church?

Mr. Shearman said it was oftensive, that word "underlings."

'underlings."
Mr. Beach-Yes, underlings. I use the word in

Mr. Shearman said it was oflensive, that word "underlings."

Mr. Beach—Yes, underlings. I use the word in no invidious sense. Is it not a compilment, an honor, to be an underling to "the greatest man on the lace of the earth?" It is a monstrous proposition that the action of the church can be given in this case between those two individuals. Where is to oe the limit of this inquiry if we are to enter into the action of this corporate body?

Judge Nellson said the report of the Standing Committee is not part of the action of the church. Mr. Beach asserted the contrary, inasmuch as the church had adopted it.

Mr. Eyaris said the matter lay in a nutshell. The plaintiff had introduced evidence to affect Mr. Beecher, oy making his conduct on the principal issue determinable on his conduct during the series of years following the alleged act. They claim there is evidence of guilt because of the evidence of suppression. They had the plaintiff selection of evidence to snow this, but they did not propose to take the steps that the plaintiff produced, but to show the action of the cauren independent of Mr. Beecher, and their action in adhering to his policy of silence, because no vindication of Mr. Beecher and his reception of them, and the other side had introduced evidence of the action of the church interest they had proved the action of the Examining Committee en the West charges, would that entitle the defence to introduce evidence of the action of Mr. Beecher and his reception of them, and the other side had introduced evidence of the action of the church independent of Mr. Beecher and his provate the action of the church interest of the church and the purpose of refreshing the memory of Mr. West on the subject. Suppose they had proved the action of the church and they proved the action of the church and they be proved the action of the church and they be proved the act

be given.

At this point the court was adjourned until eleven o'clock this morning.

THE IDLE PAINTERS. Quite a number of the painters, who have left

their employment rather than assent to the rule

of ten hours for a day's work at \$3 50 pay, assem-

bled informally yesterday at their rendezvous.

Twenty-third street and Third avenue. No formal meeting was organized, but the men gathered in groups and discussed the situation, all asserting in the most positive terms that they will not, no matter what the pay offered, consent to the iengthening of the day's service beyond the legal rule of eight hours. They are confident that as the pressure of work comes on the bosses will be obliged to come to the eight hour system. On the contrary all the leading employers assert their belief that they will find no difficulty in procuring men competent and willing to work long hours as fast as jobs demand, and they remain firm in their determination either to control their own hours. groups and discussed the situation, all asserting

In the usual daily tumult attending the breaking up of the proceedings at lunca time yesterday Mr. Beecher looked caim, confident and goodnatured. In the part of the court room where he sits there is always, at this eventful period of the tomed chairs. The lawvers draw their seats together, talk for a few moments, and then kick them away to go out to lunch. The Plymouth church people tumble over chairs and tables to greet their paster for a moment and pour into his ear words of hope and comfort. A mass of visitors block up the passage at the rear of the room to enjoy a near and ample view of the great personages in the trial, so that there is much bustle and confusion for some twenty minutes.

Mr. Beecher had a pleasant twinkle in his eye when a HERALD reporter drew him two feet aside from

THE MOB OF LAWYERS

who buzzed all about him and asked him his opinion in regard to the appointment, at Rome, of Archbishop McCloskey to a cardinalship. Mr. Evarts was passing at the moment, and Mr. Beecher overheard him say "We have made a good opening this morning." whereat the defendant's face lighted up, and for an instant he seemed to feel as if a load of dismal forebodings were taken off his mind. He was glad to find the reporter. had no intention of referring to the weary topic that must now consume his thoughts both day and night. A relief was welcome and ne cheerfully replied to the inquiry.

NO SIGNIFICANCE.
"Has the appointment of Archolshop McClosker

s cardinal any significance?" Mr. BEECHER-None beyond showing, as I think, that the Court of Rome takes more interest in the Catholic Courch in America. In my opinion, Romes has neglected it to a great extent. The Catholic has made great strides in the United States. It has thrown off its baby clothes and outered the lists for trial with the foremost congregations of the land. 1 think this recognition of the New York Archbishop has been dilatory. There was Archbishop Hughes, a very able man, upon whom the honor should have been conferred

years ago. ARCHBISHOP HUGHES.

REPORTER-Did you know nim, Mr. Beecher? Mr. Beecher-Not personally; but I knew enough about him to see he was a strong champion on his own side-wary, shrewd and forcible. His energies never suffered from stagnation. He was no half-hearted apostle of Catholicity, and, as a rule, Catholicity is well served by its agents. It is foremost in zeal and persistency, the qualities that help the spread of almost all ideas.

REPORTER-What do you think of the new Cardinal ?

Mr. BEECHER-By all accounts he is an excellent man. He performs his duties quietly but faithfully. He holds aloof from controversies and leaves the quarrelling to other people. For a dignity like this he is well fitted, and Catholics will have no reason to be asnamed of the man so nenored. I only wonder the Pope did not think long before now of paying this graceful tribute to the great and growing branch of the Church located in this country.

NO AGGRESSION. REPORTER-You do not think, as some do, that this thing means Papal aggression in America.

Mr. Brecher—By no means. My theory is that

every religion in this land should have a fair and equal chance. All being on the one footing, I say, let the best one win. If the Catholic religion, goes to the wall in the struggle, its inherent weakness will be shown. Living in the brightlight of the nineteenth century, that religion alone can succeed that has bread in place of stone to offer its followers. I have always maintained that this soil was to be the race ground of the earth's religions and the scene to witness the triumph of the true one. Liberty of thought and expression is as unfettered as the winds. Give all then the same chance to prove themselves and an entightened people will finally discover where the pure and sincere teaching lies. Papal aggression is a mere bugbear. If it be the aggression of thought and argument every disinterested man. will welcome it. Aggression, in the sense of aiming to subvert the country's religious and politi-cal liberties, is absurd, for it implies that 30,000,000 of people must be inferior to her. Away with bigotry and intolerance, and leave to reason, controlled by faith, the solution as to which religion

best deserves the suffrages of a great people. Mr. Beecher, shortly after expressing these liberal sentiments, left to go to his lunch.

TALMAGE AT COOPER INSTITUTE, LECTURE ON THE HOMES OF NEW YORK AND BROOKLYN.

Rev. T. De Witt Talmage delivered a lecture just evening at Cooper Institute, in aid of the African Methodist Episcopal church of Peekskill, his sub-ject being "The Homes of New York and Brooklyn." The interest felt by the public in the church at Peekskill would seem to be small. as not more than a hundred persons were present, which the speaker, in his opening, attributed to the entire lack of advertising in the public journals. It is natural, he said, for a man to love the country and city in which he resides better than any other. Standing at the gate of the Continent we endeavor to retain the best and let the balance go West. The best pictures, the best parks, &c., are ours. The question we are now to consider is, what shall we do to beautify and adorn the nomes of New York and Brooklyn? Wealth is not necessary to a comfortable and beautiful home. We should adorn our homes with pictures—cheap ones if need be. Remember that pictures are a constant education of your household. And let these be cheerful; not doleful representations of death, but something bright and pleasant, of music; a piano if you can, if not, a guitar or achave. Mr. Talmage advocated parior games as tending to make home happy. It is an ignominious thing for a man who had a good time when he was young to go about at fity or sixty growling

ous thing for a man who had a good time when he was young to go about at fitty or sixty growing because other people are having a good time. The oid game of blind man's buff was graphically described as a sample of the games which might be innocently indulged in.

There are men who think themselves too good for the socialities of life. This class was ridiculed in a manner which called forth hearty laughter. We can't afford to be anchorites. I have no patience with those who are always being illitreated. From whatever degree or nationality a man may come let us welcome him into our homes if ne loves God and hates sham. Again, if we would make our homes attractive we must throw around our dining tables great, good cheer. He denounced the rapid method of eating in this country. From one to two o'clock the stomachs are crying out, "Man alive, give ns time; what do you expect of us?" He also spoke butterly against the adulterated food too oiten used and advised all to be careful of what they eat. There are, he said, a million men in the country to ling, toiling, who are denying themselves all social advantages, grasping, grasping. What for? To spoil their children. I believe the reason why young people don't get along better is they do not have to work hard enough. Light and cheerful conversation at the table was navised as calculated to aid the digestion and improve the temper. Again, let us create especial attractions for the children. Make the nursery bright, for we never escape from its power. When you depart from this place to-night take a blessing to the homes of New York and Brooklyn. See to the candren and go to bed without a fret or a care. Don't worry about the world. All wrongs shall be righted and we shall jet see the gusn of the morning. Don't fret; you will sleep better if you do not, I leave you at the door of your aleeping apartment. Good night to old and young. On your comortable cauch thank Him who had not where to lay His head.

## CAB FARES.

TO THE EDITOR OF THE HERALD :-Is there a raw fixing the rate of cab fares in this city? I have understood that in hiring them by the hour the rate was \$1; yet on several occasions when using a cab for two or three hours, and proffering the driver the proper amount at that rate, he has demanded \$1 50 per hour, and upon my re-tusing to pay it! have irequently met with the vin-est abuse from these imperiment lenows. By giv-ing some information on this subject through your columns you will greatly obuse me and no doubt many others who have met with similar an-noyances.